

Lowell Board of Health
Summary of Current Tobacco Regulations and Proposed Amendments
Public Hearing at 6:00 PM on June 15, 2016 – City Hall, 375 Merrimack St., Mayor’s Reception Room
If adopted, regulations will take effect on October 1, 2016

Issue	Current Board of Health Regulation	Proposed Board of Health Regulation
<i>Minimum age (Sale of Tobacco)</i>	Prohibits the sale of tobacco to those younger than 18.	Prohibits the sale of tobacco products to those younger than 21. Definition of “tobacco product” is expanded to include, among other things, components of a tobacco product, e-liquids, e-cigarettes and similar products, regardless of nicotine content.
<i>Sale of flavored tobacco products</i>	Current BOH regulation has no special restrictions on the sale of flavored tobacco products. It treats flavored tobacco as any other tobacco product.	To allow the sale of flavored tobacco products (including, but not limited to cigars, chewing tobacco, pipe tobacco, etc., and e-liquids, e-cigarettes and similar products) only at “Retail Tobacco Stores.” A “Retail Tobacco Store” derives 90 percent of its sales from the sale of tobacco products, doesn’t sell anything requiring a food permit, and prohibits entry by those younger than 21.
<i>Smoking</i>	Current BOH regulation prohibits smoking: <ul style="list-style-type: none"> Where prohibited by the state law; <p>-----</p> <p>In addition:</p> <ul style="list-style-type: none"> It prohibits smoking within 15 feet from the entrance to a municipal building; It prohibits smoking in the so-called “smoking bars”; It prohibits smoking of hookah pipes and their presence at establishments regulated by the Board of Health, including outdoor areas accessory to them; and It prohibits e-cigarettes use where smoking is prohibited. 	In addition to existing smoking restrictions, to prohibit: <ul style="list-style-type: none"> Smoking in Retail Tobacco Stores; and Vaping where smoking is prohibited by state, federal, or local laws. (This change simply includes the use of e-cigarettes, e-hookahs, and similar products, which is already prohibited where smoking is prohibited, in the definition of “Vaping”.)